

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

STEVEN JIMMERSON,

Petitioner,

v.

Case No. 17-cv-1456-pp

UNITED STATES OF AMERICA,

Respondent.

ORDER REQUIRING PETITIONER TO FILE A MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE ON OR BEFORE NOVEMBER 30, 2017

On October 19, 2017, the petitioner filed a letter in his criminal case, United States v. Steven Jimmerson, Case No. 15-cr-158, dkt. no. 61. In this letter, he indicated that he need more time to file an “intended appeal (2255 motion),” and he asked the court to extend the one-year statute of limitations for doing so. Id. The petitioner explained that, because he is located in a special housing unit in Beaumont U.S.P., he cannot get staff to bring legal forms to him and he faces “constant on again, off again lockdown.” Id. The Clerk’s Office construed the letter as a motion for extension of time to file a §2255 motion.

Because the one-year limitations period under the statute was approaching, and because (as it explained to the petitioner) the court does not have the authority to extend that statutory deadline, the court construed the petitioner’s letter as a §2255 motion, and ordered the clerk’s office to docket it

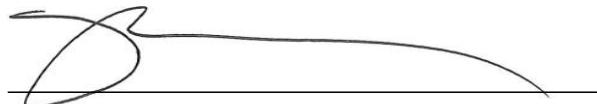
as one under a new civil case number. Id. at Dkt. No. 62. The clerk's office now has done that, opening this case—Case No. 17-cv-1456.

That means, however, that what is on the docket right now is nothing more than the petitioner's statement indicating that he wants to file a §2255 motion. That, alone, isn't enough to allow the court to determine whether the petitioner is entitled to the relief he seeks. He needs to file a full §2255 motion, explaining his grounds for relief. Once he does that, the court can screen his motion under Rule 4 of the Rules Governing Section 2255 Cases.

The court **ORDERS** that, *in time for the court to receive* it by the end of the day on **November 30, 2017**, the petitioner shall file a §2255 motion. The court **ORDERS** that the petitioner shall file the motion using the enclosed forms. The court further **ORDERS** that if the petitioner needs more time to prepare the motion, he must file a motion for an extension of time, and he must file that motion in time for the court to receive it *before* the November 30, 2017 deadline expires.

Dated in Milwaukee, Wisconsin this 30th day of October, 2017.

BY THE COURT:



HON. PAMELA PEPPER
United States District Judge